MC 358/2002
BEFORE
THE HON’BLE MR. JUSTICE A.H. SAIKIA
THE HON’BLE MR. JUSTICE H. ROY

Heard Mr. G. Soren, learned counsel appearing for the petitioner.

In view of the office note dated 8.9.2006 the service upon the respondents is presumed to be complete.

By means of this application filed under Section 5 of the Limitation Act, 1963, the petitioner has sought for condonation of delay of 21 days in preferring the related appeal being MAC Appeal No.87/2002.

In paragraphs 3,4 and 5 of the application, the delay in question has been explained.

On close examination of averments and contentions made in those abovementioned paragraphs, it appears that though the petitioner came to know about the passing of the judgment and award dated 28.5.2002 only on 12.7.2002, he could not take proper steps as he bedridden from 16.7.2002 to 14.8.2002 due to jaundice. Surprisingly, the petitioner failed to enclose any relevant documents so as to prove his such illness.

That being the position upon hearing the learned counsel for the petitioner and also on overall consideration of the facts and circumstances of the case, we are disinclined to accept the statements made in those paragraphs above as ’sufficient cause’ for condoning the delay in question.

Consequently, this application stands dismissed.